

09/29/03

16698 U.S. PTO

PTO/SB/05 (06-03)

Approved for use through 07/31/2003. OMB 0651-0032

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

58325.0003

First Inventor

Kieswetter, Robert E.

Title

A Gas Fired Radiant Heating
Unit and Method of Operation

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 10]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
5. Oath or Declaration [Total Sheets 17]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
name in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Reader Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation☒ Divisional☐ Continuation-in-part (CIP)of prior application No.: 10/260,552

Prior application information:

Examiner James G. BarrowArt Unit: 3743

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The Incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS



Customer Number:

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Correspondence address below

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City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Daryl W. Schnurr

Registration No. (Attorney/Agent)

28,569

Signature

Date

Sept. 25, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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September 25, 2003

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

**RE: Divisional Patent Application by Robert E. Kieswetter
Title: A Gas Fired Radiant Heating Unit and Method of
Construction Thereof**

This is a Divisional Application of Application Serial Number 10/260,552 filed October 1, 2002. By Office Action dated February 11, 2003, the Patent Office required the Applicant to elect between one invention for class 431, subclass 154 for Claims 1 to 14 and a second invention for Claim 15. The second invention was proceeded with and we are now filing a Divisional Application for Claims 1 to 14.

We are enclosing herewith the following documentation for process:

1. Utility Patent Application Transmittal;
2. Patent Application Fee Determination Record;
3. Copy of Declaration for Utility or Design Patent Application executed September 30, 2002 and filed October 1, 2002
4. Copy of Power of Attorney of Authorization of Agent executed September 30, 2002 and filed October 1, 2002;
5. Copy of Assignment filed October 1, 2002;
6. Copy of Statement Under 37 CFR 3.73(b) filed October 1, 2002;
7. Copy of Recordation Cover Sheet;
8. Specification including abstract and claims;
9. Six (6) sheets of formal drawings on paper;

10. Bank draft in the amount of \$U.S. 385.00 representing your filing fee herein as follows:

(a)	Basic Fee	\$385.00
(b)	Independent Claims -total of 1	n/a
(c)	Claims - total of 14	n/a
(d)	Multiple Dependent Claims - 0	<u>n/a</u>
		\$385.00

We look forward to receiving your official filing receipt for the above application in due course.

Yours very truly,

MILLER THOMSON LLP


Per:
Daryl W. Schnurr

DWS/br
encl.

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PATENT APPLICATION FEE DETERMINATION RECORD						Application or Docket Number	
Substitute for Form PTO-875							
CLAIMS AS FILED – PART I							
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE	RATE	FEE
BASIC FEE (37 CFR 1.16(a))					\$385.		\$
TOTAL CLAIMS (37 CFR 1.16(c))	14	minus 20 =	nil	x \$ =	n/a	OR	x \$ =
INDEPENDENT CLAIMS (37 CFR 1.16(b))	1	minus 20 =		x \$ =	n/a	OR	x \$ =
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+ \$ =	n/a	OR	+ \$ =
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL	385.00	OR	TOTAL
CLAIMS AS AMENDED – PART II							
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
Total (37 CFR 1.16(c))	*	Minus	**	x \$ =		OR	x \$ =
Independent (37 CFR 1.16(b))	*	Minus	***	x \$ =		OR	x \$ =
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$ =		OR	+ \$ =
				TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
Total (37 CFR 1.16(c))	*	Minus	**	x \$ =		OR	x \$ =
Independent (37 CFR 1.16(b))	*	Minus	***	x \$ =		OR	x \$ =
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$ =		OR	+ \$ =
				TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
Total (37 CFR 1.16(c))	*	Minus	**	x \$ =		OR	x \$ =
Independent (37 CFR 1.16(b))	*	Minus	***	x \$ =		OR	x \$ =
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+ \$ =		OR	+ \$ =
				TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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